

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

August 18, 2022

The Honorable Terrance Freeman, President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2022-544**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

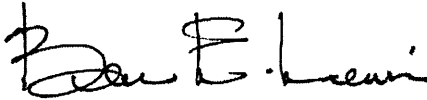
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Absent
Joshua Garrison	Aye
Mason Porter	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7820  
blewis@coj.net

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2022-0544**

**AUGUST 18, 2022**

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2022-0544**.

***Location:*** 8406 New Kings Road (US-1); Between Gilchrist Road and Grant Avenue

***Real Estate Numbers:*** 040067 0050

***Current Zoning Districts:*** Residential Medium Density-MH (RMD-MH)  
Commercial Community/General-2 (CCG-2)

***Proposed Zoning District:*** Recreation and Open Space (ROS)

***Current Land Use Category:*** Medium Density Residential (MDR)  
Community/General Commercial (CGC)

***Proposed Land Use Category:*** Community/General Commercial (CGC)

***Planning District:*** District 5—Northwest

***Applicant/Agent:*** Cyndy Trimmer, Esq.  
Drive, McAfee, Hawthorne & Diebenow, PLLC  
One Independent Drive W, Suite 1200  
Jacksonville, Florida 32202

***Owners:*** Rufus & Roxy LLC  
1217 North Laura Street, Unit 17  
Jacksonville, FL 32206

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2022-0544** seeks to rezone 4.99± acres of a split-zoned property from Residential Medium Density-MH (RMD-MH) and Commercial Community/General-1 (CCG-1) to Recreation Open Space (ROS). The property is located in the Community/General Commercial (CGC) and Medium Density Residential (MDR) land use

category within the Urban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. There is a companion Land Use Amendment (L-5674-22C/ 2022-0543) to amend the land use to Community/General Commercial (CGC).

The subject property is currently operating as Sunny Oaks Community, a mobile home and RV park. The developer plans to phase out the use of mobile homes on the property and redevelop the site as a fully functional RV park—hence the desire for a change in rezoning to ROS.

The subject site is located within the boundary of the “Old Kings District” of the KingSoutel Crossing Community Redevelopment Area (CRA). The KingSoutel Crossing (KSC) CRA was enacted in 2008, pursuant to **Ordinance 2006-591-E**. It was established to jumpstart housing, retail and commercial development in an underserved, but budding area in Northwest Jacksonville.

The KSC Advisory Board reviewed the application on July 21, 2022. The applicant stated that the owners would like to phase out the mobile home park section of the property and strictly have the property use for recreation vehicles (RV). The RV Park would be for out-of-town workers that are temporarily working in Jacksonville and when their job is done would leave. The CRA Advisory Board stated that the RV Park does not fit the redevelopment scheme for the KingsSoutel Crossing CRA. The Advisory Board, by a 2-2 vote, voted to oppose the approval for the land use amendment, L-5674-22C (**Ordinance 2022-543**) and its companion rezoning (**Ordinance 2022-544**) and requested that their disapproval be implemented throughout the regulatory review and development process.

CRA Map

The subject site is within the 750-foot buffer of a wellhead. The Environmental Quality Division (EQD) reviewed the application for possible impacts and did not have any environmental concerns. However, EQD identified the Wellhead Protection Well as Briarwood Estates MHP. It is a public supply well with identifier J-1774. Any well work on this parcel must be conducted by a licensed well contractor.

### **STANDARDS, CRITERIA AND FINDINGS**

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

**1. *Is the proposed rezoning consistent with the 2030 Comprehensive Plan?***

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, with the approval of the companion Land Use Amendment (L-5674-22C / 2022-0543) the Planning and Development Department finds the subject property to be located in the Community/General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

The proposed ROS zoning district would unify the entire property under a single ROS zoning district and to allow for the use of an RV park. An RV park within ROS is permitted as a secondary zoning district within the CGC land use category.

**2. *Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods to reduce the number of Vehicle Miles Traveled. CGC in the Urban Development Area also allows for multi-family residential at densities up to 40 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

**The proposed zoning application should be reviewed in relation to the following goals, objectives, policies or text of the 2030 Comprehensive Plan:**

**Future Land Use Element**

**Goal 1**

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

**Objective 1.1**

Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

**Goal 3**

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**3. Does the proposed rezoning conflict with any portion of the City's land use regulations?**

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from CCG-2/RMD-MH to ROS. Moreover, approval of the rezoning will prompt the site to be redeveloped in accordance with the performance standards for *Travel trailer parks and campgrounds* set forth in Section 656.401(w), as well as with the permitted uses and permissible uses by exception established in Section 656.334—all while adhering to local, state, and federal regulations governing wetlands.

**SURROUNDING LAND USE AND ZONING**

The subject property is located near the intersection of New Kings Road and Grant Avenue in the northwest corner. Other nearby uses along New Kings Road include motels, restaurants, convenience stores, service garages, junkyards, and truck sales. Other properties are undeveloped or contain residences. Nonetheless, adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	CGC	CCG-2/CCG-1	Office, Church
East	CGC/MDR	CCG-2/RMD-MH	Warehouse, Motel
South	LDR/CGC	CCG-2	Vacant, Retail
West	LDR	RR-Acre	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to ROS will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 11, 2022 by the Planning and Development Department, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0544** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 08/11/2022

Aerial view of the subject site and parcel, facing north.

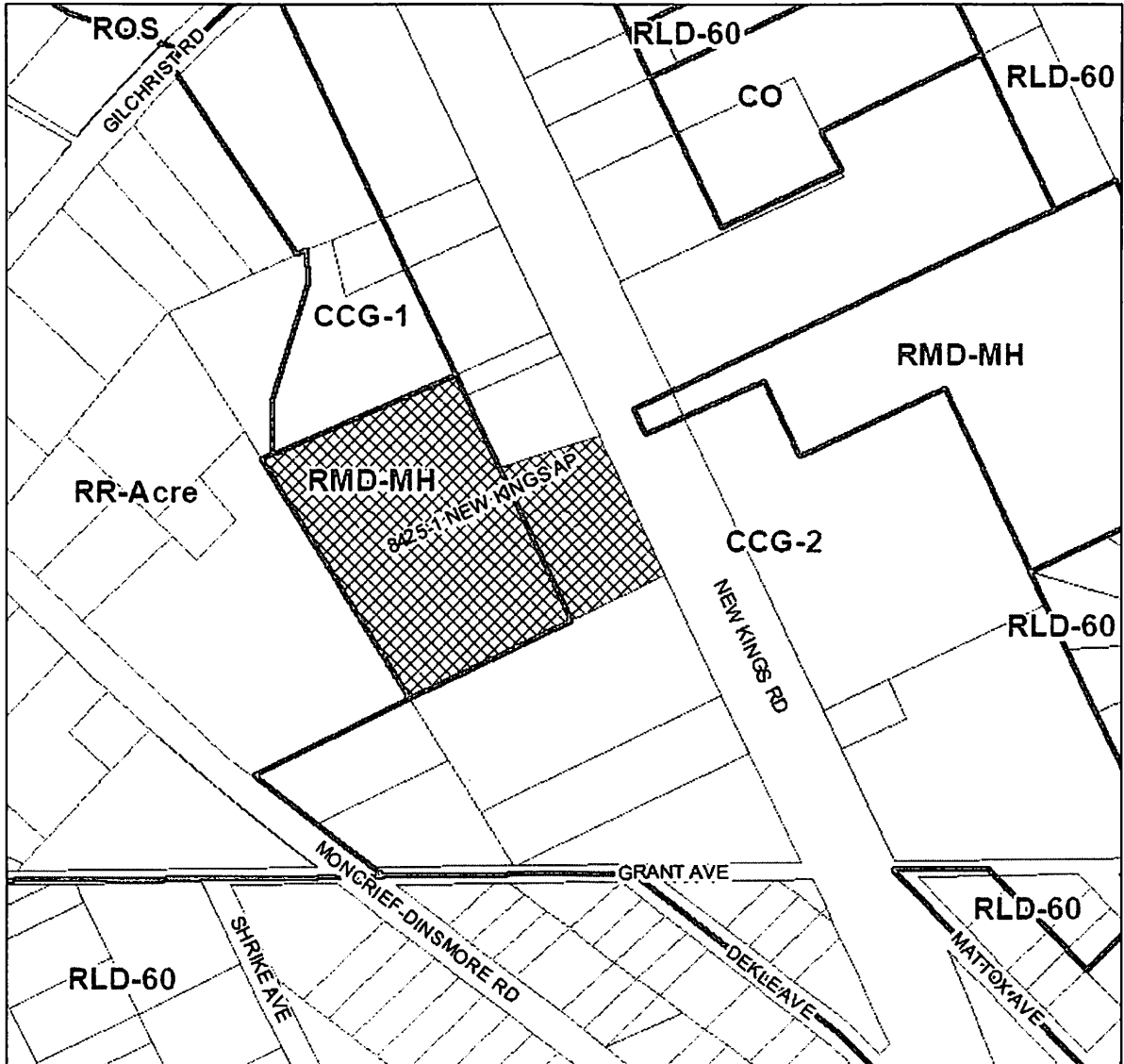
Figure B:

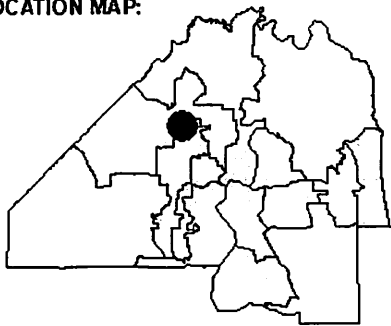



Source: Planning & Development Dept, 08/11/2022

View of the subject property from New Kings Road.





<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM: RMD-MH &amp; CCG-2</b></p> <p><b>TO: ROS</b></p>	<p><b>LOCATION MAP:</b></p> 	 <p>0 95 190 380 Feet</p> <p><b>COUNCIL DISTRICT:</b> 10</p>
<p><b>ORDINANCE NUMBER</b> ORD-2022-0544</p>	<p><b>TRACKING NUMBER</b> T-2022-4089</p>	<p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>

## Application For Rezoning To Conventional Zoning District

### Planning and Development Department Info

**Ordinance #** 2022-0544 **Staff Sign-Off/Date** KPC / 03/29/2022  
**Filing Date** 07/11/2022 **Number of Signs to Post** 1  
**Hearing Dates:**  
**1st City Council** 08/23/2022 **Planning Commission** 08/18/2022  
**Land Use & Zoning** 09/07/2022 **2nd City Council** 09/13/2022  
**Neighborhood Association** KINLOCK CIVIC ASSOCIATION  
**Neighborhood Action Plan/Corridor Study** KINGSOUTEL CRA

### Application Info

**Tracking #** 4089 **Application Status** SUFFICIENT  
**Date Started** 02/16/2022 **Date Submitted** 02/16/2022

### General Information On Applicant

**Last Name** TRIMMER **First Name** CYNDY **Middle Name**  
**Company Name**  
 DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC  
**Mailing Address**  
 1 INDEPENDENT DRIVE, SUITE 1200  
**City** JACKSONVILLE **State** FL **Zip Code** 32202  
**Phone** 9048070185 **Fax** 904 **Email** CKT@DRIVERMCAFEE.COM

### General Information On Owner(s)

Check to fill first Owner with Applicant Info

**Last Name** N/A **First Name** N/A **Middle Name**  
**Company/Trust Name**  
 RUFUS & ROXY, LLC  
**Mailing Address**  
 1217 N. LAURA STREET, UNIT 17  
**City** JACKSONVILLE **State** FL **Zip Code** 32206  
**Phone** **Fax** **Email**

### Property Information

**Previous Zoning Application Filed For Site?**

**If Yes, State Application No(s)**

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 040067 0050	10	5	CCG-2,RMD-MH	ROS

Ensure that RE# is a 10 digit number with a space (##### #)

**Existing Land Use Category**

**Land Use Category Proposed?****If Yes, State Land Use Application #**

5674

**Total Land Area (Nearest 1/100th of an Acre)** 4.99**Justification For Rezoning Application**

APPLICANT REQUESTS THIS REZONING TO UNIFY THE PROPERTY UNDER A SINGLE ZONING DISTRICT TO ALLOW A RV PARK.

**Location Of Property****General Location**

WEST OF NEW KINGS ROAD AND NORTH OF GRANT AVENUE

House #	Street Name, Type and Direction	Zip Code
8406	NEW KINGS RD	32219

**Between Streets**

NEW KINGS ROAD and GRANT AVENUE

**Required Attachments For Formal, Complete application**

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

**Supplemental Information**

Supplemental Information items are submitted separately and not part of the formal application

- One copy of the Deeds to indicate proof of property ownership.

**Public Hearings And Posting Of Signs**

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required SIGN(S) must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

**Application Certification**

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

**Filing Fee Information**

- 1) Rezoning Application's General Base Fee: \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof  
4.99 Acres @ \$10.00 /acre: \$50.00
- 3) Plus Notification Costs Per Addressee  
26 Notifications @ \$7.00 /each: \$182.00
- 4) Total Rezoning Application Cost: \$2,232.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

**EXHIBIT 1**

**LEGAL DESCRIPTION**

**February 16, 2022**

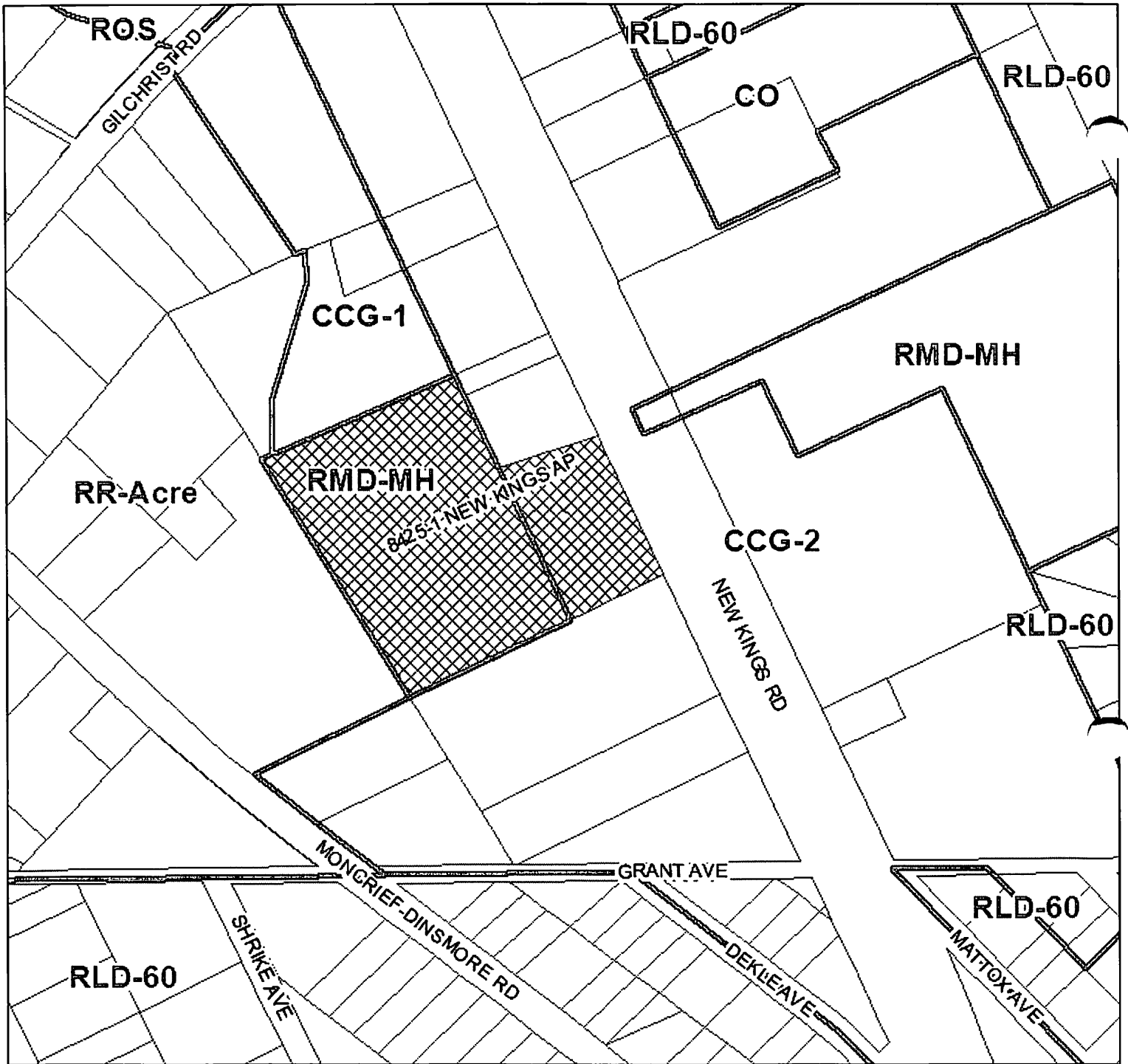
THAT CERTAIN PLACE, PARCEL, OR TRACT OF LAND, SITUATE, LYING, AND BEING IN THE CITY OF JACKSONVILLE, COUNTY OF DUVAL, AND STATE OF FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A – BEING A PART OF THE ISAAC CARTER DONATION, SECTION 42, TOWNSHIP 1 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 42, AND THE WESTERLY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 15); THENCE NORTH 25 DEGREES 21 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY LINE OF U.S. HIGHWAY NO. 1, 545 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 25 DEGREES 21 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY LINE OF U.S. HIGHWAY NO. 1, 275 FEET; THENCE SOUTH 71 DEGREES 31 MINUTES 55 SECONDS WEST, 324.1 FEET; THENCE NORTH 22 DEGREES 34 MINUTES 50 SECONDS WEST, 161.4 FEET; THENCE SOUTH 64 DEGREES 36 MINUTES 10 SECONDS WEST, 235.5 FEET; THENCE SOUTH 30 DEGREES 04 MINUTES 50 SECONDS EAST, 476.61 FEET; THENCE NORTH 64 DEGREES 39 MINUTES 10 SECONDS EAST, 510.31 FEET TO THE POINT OF BEGINNING; SUBJECT TO THAT PART OF A 40 FOOT DRAINAGE RIGHT OF WAY AS RECORDED IN DEED BOOK 1598, PAGE 586, OF THE PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA, LYING WITHIN THE ABOVE DESCRIBED PARCEL OF LAND.

TRACT B – PART OF THE ISAAC CARTER DONATION, SECTION 42, TOWNSHIP 1 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 42 WITH THE WESTERLY LINE OF U.S. HIGHWAY 1 (STATE ROAD NO. 15); THENCE NORTH 25 DEGREES 21 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY LINE OF U.S. HIGHWAY NO. 1, 620 FEET; THENCE SOUTH 71 DEGREES 31 MINUTES 55 SECONDS WEST, 160 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 71 DEGREES 31 MINUTES 55 SECONDS WEST, 141.1 FEET; THENCE NORTH 22 DEGREES 34 MINUTES 50 SECONDS WEST, 161.4 FEET; THENCE NORTH 54 DEGREES 38 MINUTES 10 SECONDS EAST, 134 FEET; THENCE SOUTH 23 DEGREES 46 MINUTES 55 SECONDS EAST, 178.4 FEET TO THE POINT OF BEGINNING.

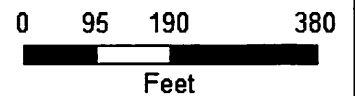
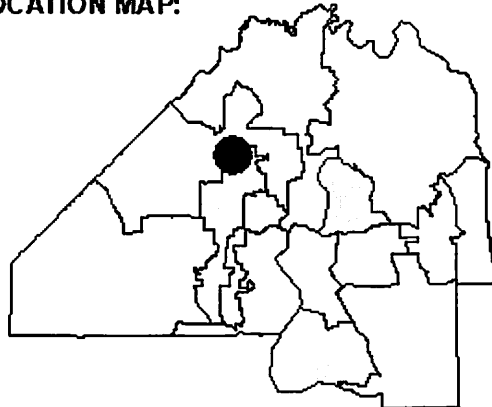


**REQUEST SOUGHT:**

**FROM: RMD-MH & CCG-2**

**TO: ROS**

**LOCATION MAP:**



**COUNCIL DISTRICT:**  
**10**

**TRACKING NUMBER**

**T-2022-4089**

**EXHIBIT 2**  
**PAGE 1 OF 1**



## Availability Letter

Doug Skiles

5/20/2021

Envision Design + Engineering, LLC

4446-1A Hendricks Avenue, Suite 406

Jacksonville, Florida 32207

Project Name: Sunny Oaks RV Park Phase 2

Availability #: 2021-2324

Attn: Doug Skiles

Thank you for your inquiry regarding the availability of Electric, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

### Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

### Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

[https://www.jea.com/engineering\\_and\\_construction/water\\_and\\_wastewater\\_development/reference\\_materials/](https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/)

### Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team

Availability Number: 2021-2324

Request Received On: 5/20/2021

Availability Response: 5/20/2021

Prepared by: Kyle Watson

Expiration Date: 5/20/2023

### **Project Information**

Name: Sunny Oaks RV Park Phase 2

Address: 8406 NEW KINGS RD, JACKSONVILLE, FL 32219

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 7500

Parcel Number: 040067 0050

Location:

Description: Conversion of existing mobile home park to 100 RV pads

### **Potable Water Connection**

Water Treatment Grid: North Grid

Connection Point #1: Existing 16" water main within the New Kings Rd. ROW, adjacent to this property.

Connection Point #2:

Water Special Conditions:

### **Sewer Connection**

Sewer Grid: Buckman

Connection Point #1: Existing 6" sewer force main within the New Kings Rd. ROW, adjacent to this property.

Connection Point #2:

Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through the JEA Sages program by entering your availability number and accessing the project portal. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, Force Main Connection Pressure Letter and Plan Submittal



Sewer Special Conditions: requests can be made within Step 2 of the project portal. Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through the JEA Sages program by entering your availability number and accessing the project portal. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Force main connection pressure letter and development meeting requests can be made within Step 2 of the project portal.

## **Reclaimed Water Connection**

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

General Conditions: